

The Westfield-Washington Township Advisory Plan Commission met in Special Session at 7:00 p.m. on Wednesday, August 31, 2005 at Westfield Town Hall. Members present were Bob Horkay, Brian Morales, Jim Peyton, Bob Smith, Carolyn Stevenson, and Ron Thomas. Also present were Kevin Buchheit and Attorney Brian Zaiger.

Thomas stated that the only items on the agenda are 0508-DP-32 and 0508-SIT-24 and that no public comments will be accepted tonight. He stated that the Town has been mandated through a court's order to approve 0508-DP-32 and 0508-SIT-24. Thomas read, "The Court hereby mandates the Defendants and all persons or entities bound by the parties joint stipulation of dismissal of Plan Commission Defendant's filed February 15, 2005 shall immediately approve Plaintiff's August 2004 development plan for the Springmill Commons property." He stated the Plan Commission has no choice but to fulfill this order. Thomas moved to delegate the court ordered approval of 0508-DP-32 to staff with the following seven conditions:

1. That any changes in the order issued under Cause #29D03-0410-PL-914 may require additional hearings before this Body to determine whether this permit must be amended or revoked;
2. That the petitioner complies with any requirements from the Westfield Public Works Department;
3. That the petitioner acquires a recorded landscape easement from Platinum Properties for the landscape buffer to the north and east;
4. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office.
5. That the petitioner complies with any requirements from the Hamilton County Soil and Water Conservation District;
6. That the petitioner complies with all standards conditions of the development plan;
7. That these conditions be fulfilled prior to receiving a building permit.

Smith seconded, and the motion passed unanimously.

Thomas moved to delegate 0508-SIT-04 to Community Development Staff with the following condition:

That the petitioner complies with any conditions as part of 0508-DP-32.

Smith seconded, and the motion passed unanimously.

Meeting adjourned at 7:03 p.m.